THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) to (c) The information is being collected and will be laid on the Table of the House.

Bonus for Employees of Organised Sector

2352. SHRI JIBON ROY:
SHRI C. O. POULOSE:
SHRI DIPANKAR MUKHERJEE:
SHRI NILOTPAL BASU:

Will the Minister of LABOUR be pleased to state:

(a) whether because the present upper ceiling on the payment of statutory bonus, more than 80% of the employees of the organised sector have been deprived of bonus last year;

(b) if not, exact number of employees who have been deprived of any bonus payment; and

(c) steps taken by Government to remove the upper ceilings for the payment of bonus to all the employees in view of the the repeated demand of Central Trade Unions on this issue?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) to (c) While because of increase in wages, some employees may have become ineligible to get the bonus, no specific information regarding number of employees who would have become ineligible is centrally maintained because the coverage under the Payment of Bonus Act, 1965 is very vast and the Act. is mainly administered by the State Governments. Government is seized of the demand made by the Central Trade Union Organisation for removal of the upper ceiling for the purpose of payment of bonus.

Cases of Child Labour

2353. SHRI ANANTRAY DEVSHANKER DAVE: Will the Minister of LABOUR be pleased to state:

(a) the number of cases filed for violation of Child Labour Act, State-wise;

(b) whether there is any lacuna in the Act; and

(c) what steps Government want to take to strengthen the Act to protect the interest of the Child Laboures?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) The Child Labour (Prohibition & Regulation) Act, 1986 prohibits employment of children in occupations and processes listed in the schedule to the Act. As per the available information, the State-wise position of the violations detected and prosecutions launched under the Act, for the last three years is given in the statement (*See* below).

(b) and (c) The issue regarding amendment of the Child Labour (Prohibition & Regulation) Act, 1986 to make it more stringent and effective, was discussed in the State Labour Ministers' Conference held in July, 1997. Important suggestions made in the Conference to make the Act more stringent include (a) making the offence a cognizable one; (b) making the penalties more stringent and deterrent; and (c) the responsibility as to the proof of age of a child being made that of the employer. Action has already been initiated in this regard?

Statement

Name of the State/UT	1996-97		1997-98		1998-99	
	Violations Detected	Prosecutions launched	Violations Detected	Prosecutions launched	Violations Detected	Prosecutions launched
Andhra Prades	41	22	551	270	493	553
Arunachal Pradesh	0	0	0	0	0	0
Assam	77	0	178	3	0	0
Bihar	1172	31	987	81	279	97
Chandigarh	0	0	0	0	0	0
Daman & Diu	0	0	0	0	0	0
Delhi	109	109	12	12	10	16
Dadra & Nagar Haveli	0	0	0	0	0	0
Goa	0	0	0	0	0	0
Gujarat	2	3	0	14	0	0
Haryana	0	0	0	0	0	0
Kerala	5	1	—	—	0	2
Karnataka	—	—	—	—	153	2
Lakshadweep	0	0	0	0	0	0
Meghalaya	0	0	0	0	0	0

Name of the State/UT	1996-97		1997-98		1998-99	
	Violations Detected	Prosecutions launched	Violations Detected	Prosecutions launched	Violations Detected	Prosecutions launched
Maharashtra	97	2	605	389	1913	17
Mizoram	0	0	0	0	0	0
Orissa	186	2	353	9	127	128
Punjab	15	12	22	24	8	5
Pondicherry	0	0	0	0	—	—
Rajasthan	0	16	0	891	0	601
Tamil Nadu	18	34	5	69	242	241
Tripura	0	0	0	0	0	0
Uttar Pradesh	264	249	—	—	—	—

Inspections, Prosecutions and convictions under Minimum Wages Act

2354. SHRI C. O. POULOSE: Will the Minister of LABOUR be pleased to state:

(a) the total number of inspections, prosecutions, and convictions under the Minimum Wages Act, 1948 for the last three years in the country; and

(b) what are the steps Government intend to take to see that every worker in the country in scheduled employment gets minimum wage?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) A Statement showing number of inspections, prosecutions and convictions in the central sphere during the last three years *i.e.*, 1997, 1998 and 1999 is enclosed (*See* below).

(b) Under the Minimum Wages Act, both Central and State Governments are appropriate Governments for fixation/revision of minimum wages and enforcement of the provisions under the Act. The enforcement is secured at two levels i.e., State level and Central level. For the employments under Central sphere, the compliance is secured through inspections by the officers of the Central Industrial Relations Machinery. Similarly, in the state sphere, inspections are conducted by the state enforcement machinery. The Inspectors declared under the Act conduct regular inspections of various establishments and take necessary action in respect of irregularities detected. In case of claims, the defaulters are advised to make up the short fall in payments and if they fail, prosecution cases are initiated against them.